

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Section 73.606(b),)	MB Docket No. 01-116
Table of Allotments,)	RM-10069
Television Broadcast Stations, and)	
Section 73.622(b), Table of Allotments)	
Digital Television Broadcast Stations)	
(Hibbing, Minnesota))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: February 27, 2003

Released: March 6, 2003

By the Chief, Video Division:

1. At the request of Duluth-Superior Area Educational Television Corporation ("Duluth-Superior"), an applicant for channel *18 at Hibbing, Minnesota, the Commission has before it the Notice of Proposed Rule Making, 16 FCC Rcd 11846 (2001), proposing the substitution of DTV channel *31 for channel *18 and at Hibbing.¹ Duluth-Superior and KBJR License, Inc. ("KBJR") filed comments.²

2. Duluth-Superior and KBJR filed comments supporting the channel substitution at Hibbing. Specifically, KBJR states that the adoption of Duluth-Superior's proposal will eliminate the potential for interference to KBJR's proposed operation of DTV channel 19 at Superior, Wisconsin. Duluth-Superior also states that the allotment of DTV channel *31 will enable it to share antenna facilities with WIRT-TV at Hibbing.

3. We believe the public interest would be served by substituting DTV channel *31 for channel *18 since it will enable Duluth-Superior to eliminate interference concerns while permitting Duluth-Superior to co-locate its antenna with another station. DTV channel *31 can be allotted to Hibbing consistent with the criteria set forth in the Commission's *Public Notice* regarding the DTV channel replacement for a NTSC channel allotment. The coordinates for channel *31 at Hibbing are 47-22-53 N. and 92-57-15 W. Since the community of Hibbing is located within 400 kilometers of

¹ Duluth filed its petition for rulemaking pursuant to the provisions outlined in the Commission's Public Notice ("*Public Notice*") released on November 22, 1999, DA 99-2605. In that *Public Notice*, the Commission announced a window filing opportunity to allow persons with certain pending requests for new analog television stations to modify their requests. Specifically, Duluth requested the substitution of DTV channel *31 for channel *18 because of the potential for interference to stations KAWE-DT, KQDS-DT and KBJR-DT.

² KBJR is the licensee of station KBJR-TV, Superior, Wisconsin.

the U.S.-Canadian border, concurrence from the Canadian government has been obtained for this allotment. DTV channel *31 is allotted with the following specifications:

<u>State & City</u>	<u>DTV Channel</u>	<u>DTV power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop. (thous.)</u>
MN Hibbing	*31	500	212	117

4. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective April 21, 2003, the TV Table of Allotments, Section 73.606(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Hibbing, Minnesota	13-

5. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective April 21, 2003, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Hibbing, Minnesota	*31, 36, *51

6. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, Duluth-Superior Area Educational Television Corporation shall submit to the Commission a minor change application for a construction permit (FCC Form 340) specifying DTV Channel *31 in lieu of TV Channel *18-.

7. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

8. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau